

“(A) providing written guidance to the contractor that the contractor’s eligibility for contracts requires compliance with this section;

“(B) requiring that the contractor respond within 30 days affirming that the contractor is taking steps to comply with this section; and

“(C) suspending payment under the contract for which the applicant was being considered until the contractor demonstrates compliance with this section.

“(d) DEFINITIONS.—In this section:

“(1) **CONDITIONAL OFFER.**—The term ‘conditional offer’ means an offer of employment for a position related to work under a contract that is conditioned upon the results of a criminal history inquiry.

“(2) **CRIMINAL HISTORY RECORD INFORMATION.**—The term ‘criminal history record information’ has the meaning given that term in section 9201 of title 5.”

(2) **EFFECTIVE DATE.**—Section 2338(a) of title 10, United States Code, as added by paragraph (1), shall apply with respect to contracts awarded pursuant to solicitations issued after the effective date described in section 802(b)(2) of this title.

(3) **CLERICAL AMENDMENT.**—The table of sections for chapter 137 of title 10, United States Code, is amended by inserting after the item relating to section 2337 the following new item:

“2338. Prohibition on criminal history inquiries by contractors prior to conditional offer.”

(C) **REVISIONS TO FEDERAL ACQUISITION REGULATION.**—

(1) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act, the Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation to implement section 4713 of title 41, United States Code, and section 2338 of title 10, United States Code, as added by this section.

(2) **CONSISTENCY WITH OFFICE OF PERSONNEL MANAGEMENT REGULATIONS.**—The Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation under paragraph (1) to be consistent with the regulations issued by the Director of the Office of Personnel Management under section 2(b)(1) to the maximum extent practicable. The Council shall include together with such revision an explanation of any substantive modification of the Office of Personnel Management regulations, including an explanation of how such modification will more effectively implement the rights and protections under this section.

SEC. 804. REPORT ON EMPLOYMENT OF INDIVIDUALS FORMERLY INCARCERATED IN FEDERAL PRISONS.

(a) **DEFINITION.**—In this section, the term “covered individual”—

(1) means an individual who has completed a term of imprisonment in a Federal prison for a Federal criminal offense; and

(2) does not include an alien who is or will be removed from the United States for a violation of the immigration laws (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)).

(b) **STUDY AND REPORT REQUIRED.**—The Director of the Bureau of Justice Statistics, in coordination with the Director of the Bureau of the Census, shall—

(1) not later than 6 months after the date of enactment of this Act, design and initiate a study on the employment of covered individuals after their release from Federal prison, including by collecting—

(A) demographic data on covered individuals, including race, age, and sex; and

(B) data on employment and earnings of covered individuals who are denied employ-

ment, including the reasons for the denials; and

(2) not later than 2 years after the date of enactment of this Act, and every 5 years thereafter, submit a report that does not include any personally identifiable information on the study conducted under paragraph (1) to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

(C) the Committee on Oversight and Government Reform of the House of Representatives; and

(D) the Committee on Education and the Workforce of the House of Representatives.

SA 3350. Mr. SCHATZ (for himself and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use; which was ordered to lie on the table; as follows:

At the end of title I of the bill, add the following:

SEC. 104. ENHANCING BASIC AND APPLIED RESEARCH ON PAIN TO DISCOVER THERAPIES TO REDUCE THE CURRENT OVER-PRESCRIBING OF OPIOIDS.

(a) **IN GENERAL.**—The Director of the National Institutes of Health may intensify and coordinate fundamental, translational, and clinical research of the National Institutes of Health (referred to in this section as the “NIH”) with respect to the understanding of pain and the discovery and development of therapies for chronic pain.

(b) **PRIORITY AND DIRECTION.**—The prioritization and direction of the Federally funded portfolio of pain research studies shall consider recommendations made by the Interagency Pain Research Coordinating Committee in concert with the Pain Management Best Practices Inter-Agency Task Force, and in accordance with the National Pain Strategy, the Federal Pain Research Strategy, and the NIH-Wide Strategic Plan for Fiscal Years 2016–2020, the latter which calls for the relative burdens of individual diseases and medical disorders to be regarded as crucial considerations in balancing the priorities of the Federal research portfolio.

(c) **FUNDING.**—Funds shall be available to carry out this section from funds otherwise available to the NIH.

AMERICAN HEART MONTH AND NATIONAL WEAR RED DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of S. Res. 365 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 365) designating February 2016 as “American Heart Month” and February 5, 2016, as “National Wear Red Day.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that

the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 365) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of February 8, 2016, under “Submitted Resolutions.”)

CELEBRATING BLACK HISTORY MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 379, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 379) celebrating Black History Month.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 379) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of Calendar Nos. 468 through 471 and all nominations on the Secretary’s desk; that the nominations be confirmed en bloc and the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate’s action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Robert S. Williams

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Brook J. Leonard

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Michael A. Guetlein

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Steven L. Basham
Brig. Gen. Carl A. Buhler
Brig. Gen. James C. Dawkins, Jr.
Brig. Gen. Dawn M. Dunlop
Brig. Gen. Albert M. Elton, II
Brig. Gen. Michael A. Fantini
Brig. Gen. Cedric D. George
Brig. Gen. Patrick C. Higby
Brig. Gen. Mark K. Johnson
Brig. Gen. Brian T. Kelly
Brig. Gen. Brian M. Killough
Brig. Gen. Scott A. Kindsvater
Brig. Gen. Donald E. Kirkland
Brig. Gen. Robert D. LaBrutta
Brig. Gen. Russell A. Mack
Brig. Gen. Charles L. Moore, Jr.
Brig. Gen. Mary F. O'Brien
Brig. Gen. John T. Quintas
Brig. Gen. Duke Z. Richardson
Brig. Gen. Robert J. Skinner
Brig. Gen. Bradley D. Spacy
Brig. Gen. Ferdinand B. Stoss
Brig. Gen. Jeffrey B. Taliaferro
Brig. Gen. Christopher P. Weggeman
Brig. Gen. Stephen N. Whiting
Brig. Gen. John M. Wood

NOMINATIONS PLACED ON THE SECRETARY'S
DESK

IN THE AIR FORCE

PN1065 AIR FORCE nominations (19) beginning ERIC R. BAUGH, JR., and ending JEANLUC G. C. NIEL, which nominations were received by the Senate and appeared in the Congressional Record of January 11, 2016.

PN1066 AIR FORCE nominations (25) beginning BRIAN J. ALENT, and ending BRYAN A. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of January 11, 2016.

PN1096 AIR FORCE nomination of Khurram A. Khan, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1097 AIR FORCE nominations (2) beginning BRUCE E. STERNKE, and ending JEFFREY S. WOOLFORD, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1098 AIR FORCE nominations (7) beginning MARY E. CLARK, and ending JAMES A. JERNIGAN, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1099 AIR FORCE nomination of Margaret C. Martin, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1100 AIR FORCE nominations (2) beginning GREGORY J. MALONE, and ending GREGORY K. RICHERT, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

IN THE ARMY

PN1073 ARMY nomination of Ricardo O. Morales, which was received by the Senate

and appeared in the Congressional Record of January 11, 2016.

PN1101 ARMY nomination of Christopher W. Wendland, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1103 ARMY nomination of Michael J. Mulcahy, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1104 ARMY nomination of Kelly K. Greenhaw, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1106 ARMY nominations (4) beginning GEORGE L. BARTON, and ending RICHARD A. WHOLEY, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1108 ARMY nomination of Nicholas H. Gist, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1110 ARMY nominations (86) beginning MATTHEW J. AIESI, and ending JASON D. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1140 ARMY nomination of D012199, which was received by the Senate and appeared in the Congressional Record of February 1, 2016.

PN1142 ARMY nomination of James C. Sullivan, which was received by the Senate and appeared in the Congressional Record of February 1, 2016.

PN1143 ARMY nomination of Mark R. Biehl, which was received by the Senate and appeared in the Congressional Record of February 1, 2016.

PN1144 ARMY nominations (5) beginning RYAN P. BRENNAN, and ending PAUL E. PATTERSON, which nominations were received by the Senate and appeared in the Congressional Record of February 1, 2016.

PN1145 ARMY nominations (26) beginning SCOTT F. BARTLETT, and ending KENNETH G. VERBONCOEUR, which nominations were received by the Senate and appeared in the Congressional Record of February 1, 2016.

IN THE MARINE CORPS

PN1115 MARINE CORPS nomination of Lucas M. Chesla, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1116 MARINE CORPS nomination of Jaime A. Ibarra, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1118 MARINE CORPS nominations (2) beginning CURTIS J. SMITH, and ending BRYAN E. STOTTS, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1119 MARINE CORPS nominations (2) beginning ALLEN L. LEWIS, and ending DAVID STEVENS, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1120 MARINE CORPS nominations (2) beginning MICHAEL J. MALONE, and ending MICHAEL C. ROGERS, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1121 MARINE CORPS nomination of Conrad G. Alston, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1122 MARINE CORPS nomination of James C. Rose, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1124 MARINE CORPS nomination of Shawn A. Harris, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1125 MARINE CORPS nominations (2) beginning DAVID F. HUNLEY, and ending ARLIE L. MILLER, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1127 MARINE CORPS nominations (5) beginning MICHAEL J. BARRIBALL, and ending JOHN V. RUSSELL, IV, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1128 MARINE CORPS nominations (3) beginning JAMEEL A. ALI, and ending AMBROSIO V. PANTOJA, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1131 MARINE CORPS nominations (3) beginning ISAAC RODRIGUEZ, and ending BRIAN G. WISNESKI, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1132 MARINE CORPS nominations (2) beginning KEITH D. BURGESS, and ending KEITH J. LUZBETAK, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1133 MARINE CORPS nominations (2) beginning CHRISTOPHER W. BENSON, and ending SHELTON WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1134 MARINE CORPS nominations (3) beginning KEVIN L. FREIBURGER, and ending JASON H. PERRY, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1135 MARINE CORPS nominations (5) beginning CHARLES W. DEMLING, III, and ending GLEN F. TEDTAOTAO, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

IN THE NAVY

PN1112 NAVY nomination of Kielly A. Andrews, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1113 NAVY nominations (2) beginning JEFFREY C. CHAO, and ending JOSEPH A. MOORE, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1114 NAVY nomination of Erik J. Kjellgren, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

ORDERS FOR TUESDAY, MARCH 1,
2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m., Tuesday, March 1; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of the motion to proceed to S. 524, postcloture; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly conference meetings; finally, that all time during recess or adjournment of the Senate